



PATENT
Attorney Docket No. 053847-5002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Masami MASUKO

Application No.: 10/618,706

Filed: July 15, 2003

For: WHETSTONE PELLET, WHETSTONE,
PROCESSES FOR PRODUCING THEM,
PROCESS FOR PRODUCING OPTICAL
ELEMENT USING WHETSTONE, AND
PROCESS FOR PRODUCING EXPOSURE)
APPARATUS

Confirmation No.: 4923

Group Art Unit: 1753

Examiner: Unassigned

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicant does not believe that a fee is due for filing this paper.

A copy of each listed document is attached. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

A concise explanation of relevance for each of the non-English language documents listed may be ascertained from the English-language translation of their Abstract. However, with regard to JP 3-44559, an English-language Abstract is presently unavailable. Accordingly, Applicant respectfully submit that the relevance of JP 3-4459 may be found in the PCT WO 02/055264 patent document.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required,

including any required extension of time fees, or credit any overpayment to Deposit
Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR
EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: Mary Jane Boswell
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Reg. No. 33,652

Dated: November 4, 2003

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MJB/DEC/fdb

**INFORMATION DISCLOSURE
CITATION**

(Use several sheets if necessary)

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PTO Form 1449

NOV 04 2003

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	<u>Translation</u>	
							YES	NO
		WO-02/055264	07/18/2002	PCT				
		2001-260031	09/25/2001	Japan			Abstract	
		2000-084820	03/28/2000	Japan			Abstract	
		2000-117605	04/25/2000	Japan			Abstract	
		11-198052	07/27/1999	Japan			Abstract	
		11-198047	07/27/1999	Japan			Abstract	
		10-006224	01/13/1998	Japan			Abstract	
		09-254040	09/30/1997	Japan			Abstract	
		04-223875	08/13/1992	Japan			Abstract	
		3-44559	04/25/1991	Japan				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

MJB/DEC/fdb

November 4, 2003

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